United Nations A/61/706–S/2007/28

General Assembly
Security Council

Distr.: General
22 January 2007

Original: English

**General Assembly**
**Sixty-first session**
Agenda items 76 and 80

**Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives**

**The rule of law at the national and international levels**

**Security Council**
**Sixty-second year**

## Letter dated 19 January 2007 from the Chargé d'affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Upon instruction from my Government, I wish to bring to your attention the following:

On 11 January 2007, in yet another flagrant violation of the basic principles of international law and fundamental provisions governing diplomatic and consulate affairs, the United States military forces in Iraq attacked the Consulate General of the Islamic Republic of Iran in Erbil (Iraq), abducted five Iranian consular officers and confiscated some documents and other properties.

This illegal act, together with the unlawful arrest and detention of some Iranian diplomats and officials by the United States forces in Baghdad a few weeks earlier, have once again put in display the amount of contempt practised by the United States of America against international law and the basic principles on which the international relations are based and operate.

The Islamic Republic of Iran strongly condemns this insolent illegal act, which clearly violates the principles of "personal inviolability of consular officers" and the "inviolability of the consular premises, archives and documents" enshrined in the Vienna Convention on Consular Relations (1963).

This illegal United States act is also against numerous United Nations resolutions, including, inter alia, resolution 61/31, which strongly condemns acts of violence against diplomatic and consular missions and representatives, emphasizes that such acts can never be justified and urges States to take all appropriate measures at the national and international levels to prevent any such acts of violence against the missions, representatives and officials, including during a period of

07-21596 (E) 230107

armed conflict, and also urges all States to ensure, with the participation of the United Nations where appropriate, that such acts of violence are fully investigated with a view to bringing offenders to justice.

The Islamic Republic of Iran holds the United States Government fully responsible for the consequences of this unlawful act, and for the safety and security of the said consular officers. It also calls for the immediate release of the abducted consular officers, the return of the properties and the documents confiscated and for the compensation of the damages inflicted on the Islamic Republic of Iran's consular officers and premises. Moreover, the Government of the Islamic Republic of Iran reserves its right to pursue this issue at the pertinent international fora. Indeed, the said attack constitutes a matter of grave concern that requires an urgent and resolute response on the part of the United Nations, and in particular the Security Council.

In this regard, a note verbale has also been sent to the Embassy of Switzerland (the Interest Section of the United States of America) in Tehran by the Ministry of Foreign Affairs of the Islamic Republic of Iran on 11 January 2007, an unofficial translation of which is herewith attached (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 76 and 80, and of the Security Council.

(*Signed*) Mehdi **Danesh-Yazdi**
Chargé d'affaires a.i.

## Annex to the letter dated 19 January 2007 from the Chargé d'affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

11 January 2007

**Note verbale**

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Switzerland (the Interest Section of the United States of America) in Tehran, and has the honour to inform the latter that according to the information received, the United States military forces, in yet another inhumane act and in violation of international law, attacked the Consulate General of the Islamic Republic of Iran in Erbil at 5 a.m. on Thursday, 11 January 2007, disarmed the guards on the premises, broke down the doors into the building, beat and injured the consular officers, and thereafter illegally detained five of the Iranian consular officers, namely 1. (Mr.) Naser Bagheri, 2. (Mr.) Mousa Chegini, 3. (Mr.) Abbas Hatami Kakavand, 4. (Mr.) Hamid Askari Shokouh and 5. (Mr.) Majid Ghaemi.

It is worth mentioning that the liaison office of the Islamic Republic of Iran has been active and operating in Erbil since 1992, and that in the current (Iranian) year, based on an agreement between the Governments of the Islamic Republic of Iran and the Republic of Iraq, its status was officially changed into Consulate General and official note verbales were exchanged between the two countries accordingly.

Since the aforesaid consular officers enjoy immunities, the unlawful action taken by the United States forces is a blatant violation of the provisions of the 1963 Vienna Convention on Consular Relations, and also contravenes other international legal obligations of the United States, including, inter alia, under United Nations General Assembly resolutions on the security and safety of diplomatic and consular missions and representatives.

By attacking the Consulate General of the Islamic Republic of Iran in Erbil and causing damages, the Government of the United States has violated its international legal obligations vis-à-vis the Islamic Republic of Iran and is responsible for compensation of all the damages it has brought about.

The Government of the Islamic Republic of Iran strongly protests against such an undiplomatic and unlawful act and calls for the immediate release of the detainees and the prosecution of the perpetrators of the said attack.

It is evident that the Government of the United States is responsible for any possible consequences of the delay in releasing the aforesaid persons.

The Embassy of Switzerland in Tehran is requested to bring the contents of this note verbale to the attention of the respective authorities of the United States Government promptly and to inform the Ministry of Foreign Affairs of the Islamic Republic of Iran of the results.

The Ministry of Foreign Affairs of the Islamic Republic of Iran avails itself of this opportunity to renew to the Embassy of Switzerland in Tehran the assurances of its highest consideration.

**Embassy of Switzerland (the Interest Section of the United States of America)**
**Tehran**